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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on the rights of persons with disabilities, Catalina Devandas-Aguilar

Summary

In the present report, submitted to the Human Rights Council pursuant to Council resolution 26/20, the Special Rapporteur on the rights of persons with disabilities describes her vision of the mandate, her working methods and a work plan for the first three years of the mandate.

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I. Introduction

1. The Human Rights Council established the mandate of the Special Rapporteur on the rights of persons with disabilities in its resolution 26/20. In resolution 26/20, the Council expresses deep concern that, in all parts of the world, persons with disabilities continued to face barriers in their participation as equal members of society and violations of their human rights. Recognizing that greater attention was needed to address these challenges, the Council appointed the Special Rapporteur for an initial period of three years, to work together with other human rights bodies and mechanisms and the broader global community towards a better realization of the rights of persons with disabilities. Catalina Devandas-Aguilar took office as the first mandate holder on 1 December 2014.

2. Pursuant to Human Rights Council resolution 26/20, the Special Rapporteur will report annually to the Council, starting from its twenty-eighth session, and to the General Assembly. In the present report, the Special Rapporteur describes her vision of the mandate, her working methods and a work plan for the first three years.

II. Background: towards a human rights-based approach to disability

3. The mandate of the Special Rapporteur on the rights of persons with disabilities brings the issue of disability to the family of human rights mandate holders and mechanisms under the auspices of the Human Rights Council. The mandate strengthens the United Nations system in its efforts to realize the rights of persons with disabilities and reinforces an important message: persons with disabilities are holders of human rights on an equal basis with others, and the global community must work together to promote their inclusion from a human rights-based approach.

4. The establishment of the new mandate comes as important recognition of how far the global community has come in the recent past in the advancement and the promotion of the rights of persons with disabilities. In a very short period of time, there has been an extraordinary paradigm shift, a change in the way persons with disabilities have been perceived and hence treated. From its initial focus on charity and medical considerations, the international community has moved towards a model that recognizes that social and environmental barriers are the real obstacles for the enjoyment of human rights by persons with disabilities. It is in that interaction between a person with an impairment and his or her environment where discrimination and rights violations arise, resulting in disability, and it is only by addressing those social aspects that persons with disabilities will be fully included in their communities.

5. The United Nations system has been responsive to this shift in paradigm and become, over the years, a main actor in promoting a human rights-based approach to disability. While the General Assembly started to include persons with disabilities in its resolutions in the 1950s, human rights language became visible in the 1970s through the adoption of two declarations: the Declaration on the Rights of Mentally Retarded Persons of 1971,[1] and the Declaration on the Rights of Disabled Persons of 1975.[2] The United

[1] General Assembly resolution 2856 (XXVI).

[2] General Assembly resolution 3447 (XXX). It is important to note that while these declarations contain language that is today considered derogatory towards persons with disabilities, they played an important role in advancing the understanding of the rights of persons with disabilities at that time.

Nations system paid increasing attention to persons with disabilities throughout the 1980s, adopting in 1982 the World Programme of Action concerning Disabled Persons,[3] and proclaiming the period 1983-1992 the United Nations Decade of Disabled Persons.[4]

6. In 1993, the General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities.[5] This non-binding document anchored the issue of disability in a framework of non-discrimination and equal opportunity, and served as an instrument to advance the rights of persons with disabilities in the context of social development and beyond. The Rules created a monitoring mechanism within the framework of the Commission for Social Development, namely, a Special Rapporteur on Disability, tasked with assisting States in assessing and measuring their progress in implementing the Rules, providing advisory services, identifying obstacles and suggesting suitable measures that would contribute to the successful implementation of the Rules. The monitoring mechanism also included a panel of experts created by international organizations representing persons with disabilities. Between 1994 and 2014, the Commission appointed three Special Rapporteurs on Disability,[6] who played an instrumental role in advancing the global disability agenda.

7. In parallel to these disability-specific developments, and guided by the Charter of the United Nations and the Universal Declaration of Human Rights, the United Nations human rights framework continued to grow with the adoption in 1966 of two international covenants – one on civil and political rights, the other on economic, social and cultural rights – and subsequent thematic human rights treaties throughout the following decades. In this context, persons with disabilities were viewed mainly from an anti-discrimination perspective, first implicitly under "any other status". In 1989, the Convention on the Rights of the Child was the first binding treaty to explicitly mention disability as a ground of discrimination. Although persons with disabilities were in theory equally protected under the core human rights treaties, however, they would remain at the margins of human rights discourse until the new millennium.

8. By 2001 it had become evident that, despite the various efforts made by the United Nations system to advance the situation of persons with disabilities, they were not sufficient to ensure the equal and effective enjoyment of human rights by persons with disabilities. Following a recommendation made by States at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, the General Assembly established in its resolution 56/168 an ad hoc committee to consider proposals for a thematic convention on the promotion of the rights of persons with disabilities. The Convention on the Rights of Persons with Disabilities was negotiated in a relatively short period of time, between 2002 and 2006. The negotiations were characterized by the active participation of persons with disabilities and their representative organizations, bringing to the drafting process a remarkable and previously unprecedented level of ownership by rights-holders and their support networks. The Convention and the Optional Protocol thereto were adopted by the General Assembly by its resolution 61/106, and came into force on 3 May 2008.

9. The Convention on the Rights of Persons with Disabilities ties the social understanding of disability to a legal framework, defining duty-bearers and rights-holders, and implementation and accountability frameworks. In doing so, it anchors disability to a

[3] General Assembly resolution 37/52.

[4] General Assembly resolution 37/53.

[5] General Assembly resolution 48/96, annex.

[6] Bengt Lindqvist (Sweden), from 1994 to 2002; Sheikha Hessa Khalifa bin Ahmed al-Thani (Qatar), from 2003 to 2009; and Shuaib Chalklen (South Africa), from 2009 to 2014.

human rights-based approach and serves as a starting point for work in all areas of life, including as a tool for promoting this approach to development. In its preamble, the Convention recognizes that disability is an evolving concept that results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society. Through the adoption of the Convention, the global community took a decisive step from approaches based on considerations of charity and rehabilitation to social and human rights models – and from a soft law framework to a legally binding human rights treaty that clarifies that persons with disabilities are holders of human rights on an equal basis with others.[7]

10. The Convention on the Rights of Persons with Disabilities accelerated the momentum with regard to the rights of persons with disabilities, and increased attention to the issue within the global community. The eight years since the adoption of the Convention have witnessed a mobilization within the United Nations system towards greater protection of the rights of persons with disabilities, the key developments including:

(a) The establishment of the Conference of States Parties to the Convention, on the Rights of Persons with Disabilities, which convened for the first time in 2008 at Headquarters in New York.[8] The annual Conference and its parallel events gather an important number of stakeholders to exchange views on progress and challenges in implementing the Convention.

(b) The creation in 2008 of the Committee on the Rights of Persons with Disabilities, which held its first session in Geneva in 2009. In response to a rapidly increasing number of ratifications, the amount of State party received, and the need for interpretation and guidance on Convention provisions, the Committee has grown from 12 to 18 members and meets for two four-week sessions and two pre-sessional working group sessions annually. To date, the Committee has reviewed 19 States party initial reports, held three days of general discussion and issued two general comments: on equal recognition before the law (art. 12),[9] and on accessibility (art. 9).[10]

(c) The inclusion of the rights of persons with disabilities in the work of the Human Rights Council. The Council adopted its first resolution on the human rights of persons with disabilities, resolution 7/9, in 2008, in which it decided to hold an annual interactive debate on the issue. Since its tenth session, the Council has held an annual discussion on a broad variety of topics, each time requesting the Office of the United Nations High Commissioner for Human Rights (OHCHR) to present a thematic report on the issue under discussion.[11] In addition, the Council has advanced in making its work accessible to and inclusive of persons with disabilities, and in mainstreaming disability in other areas of work.

(d) Increased attention by United Nations programmes, fund and agencies on the promotion of the rights of persons with disabilities, and the mobilization of two inter-agency mechanisms: the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities and the United Nations Partnership to Promote the Rights of Persons with Disabilities. Many agencies have also created and/or strengthened focal points on disability and are gradually adopting a human rights-based approach to their work.

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[7] See Gerard Quinn and Theresia Degener, "Human Rights and Disability: The current use and future potential of United Nations human rights instruments in the context of disability", United Nations, Geneva, 2002.

[8] See CRPD/CSP/2008/4.

[9] CRPD/C/GC/1.

[10] CRPD/C/CG/2.

[11] A/HRC/10/48, A/HRC/13/29, A/HRC/16/38, A/HRC/19/36, A/HRC/22/25, A/HRC/25/29.

11. The above-mentioned developments have contributed to building a structure within which the global community is better prepared to respond more effectively and to work in unity towards achieving the full enjoyment of the rights of persons with disabilities. The establishment of the mandate of Special Rapporteur on the rights of persons with disabilities was a welcome step in this series of positive developments.

III. Setting up the mandate

A. Mandate

12. The Human Rights Council, in its resolution 26/20, decided to appoint, for a period of three years, a Special Rapporteur on the rights of persons with disabilities with the following mandate:

(a) To develop a regular dialogue and to consult with States and other relevant stakeholders, including United Nations agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, national independent monitoring frameworks designated under article 33, paragraph 2 of the Convention on the Rights of Persons with Disabilities, persons with disabilities and their representative organizations, and other civil society organizations to identify, exchange and promote good practices relating to the realization of the rights of persons with disabilities and their participation as equal members of society;

(b) To gather, request, receive and exchange information and communications from and with States and other relevant sources, including persons with disabilities and their representative organizations and other civil society organizations, on violations of the rights of persons with disabilities;

(c) To make concrete recommendations on how to better promote and protect the rights of persons with disabilities, including on how to contribute to the realization of internationally agreed development goals for persons with disabilities, including the Millennium Development Goals, how to promote development that is inclusive of and accessible to persons with disabilities, and how to promote their role as both agents for and beneficiaries of development;

(d) To conduct, facilitate and support the provision of advisory services, technical assistance, capacity-building and international cooperation in support of national efforts for the effective realization of the rights of persons with disabilities;

(e) To raise awareness of the rights of persons with disabilities, to combat stereotypes, prejudices and harmful practices that hinder their opportunity to participate in society on an equal basis with others, to promote awareness of their positive contributions and to inform persons with disabilities about their rights;

(f) To work closely with the special procedures and other human rights mechanisms of the Human Rights Council, the treaty bodies, in particular the Committee on the Rights of Persons with Disabilities, and other relevant United Nations agencies, programmes and funds, including the United Nations Partnership to Promote the Rights of Persons with Disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility, within their respective mandates, with a view to avoiding unnecessary duplication;

(g) To cooperate closely with the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Commission for Social Development, including by participating in their annual sessions upon request;

(h) To integrate a gender perspective throughout the work of the mandate and to address multiple, intersecting and aggravated forms of discrimination faced by persons with disabilities.

13. In addition, in resolution 26/20, the Human Rights Council requested the Special Rapporteur to report annually to the Human Rights Council, starting from its twenty-eighth session, and to the General Assembly, in accessible formats and according to their respective programmes of work, and the Secretary-General to bring the reports of the Special Rapporteur to the attention of the Committee on the Rights of Persons with Disabilities, the Conference of States Parties and the Commission for Social Development for their information and to avoid unnecessary duplication.

14. The Special Rapporteur commends the establishment of the mandate and the many opportunities for change that it brings. As a new mandate within the Human Rights Council and a particularly broad one, it embraces the many ongoing processes at the national, regional and international levels relating to the advancement of the rights of persons with disabilities, and covers fields of work in which a stronger and systematic disability perspective is needed. The Special Rapporteur also foresees a considerable workload that may bring about challenges in the implementation phase. The magnitude of the efforts that are needed to engage fruitfully in each of the processes and activities presents particular challenges in terms of human and financial capacity. While careful prioritization will be a key factor in identifying the areas where the Special Rapporteur can contribute with a clear added value, the mandate holder is hopeful that, in a spirit of collaboration and in order to secure the effective implementation of her mandate, she would benefit from the support of States, partners and other stakeholders, which would thus reaffirm their commitment to the promotion of the rights of persons with disabilities.

B. Framework for the implementation of the mandate

1. The Convention as the guiding standard

15. In the preamble of Human Rights Council resolution 26/20, in which the Council established the mandate of the Special Rapporteur, the Council also recalled the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms. In that spirit, the Special Rapporteur emphasizes that the entire United Nations regulatory framework applies to persons with disabilities on an equal basis with others. Many positive developments have already taken place in which the United Nations system has advanced in the direction of including the rights of persons with disabilities in non-disability specific arenas, such as in the current negotiations of the post-2015 development framework,[12] in the work of human rights treaty bodies beyond the Committee on the Rights of Persons with Disabilities and various areas of thematic work of the Council, as well as in intergovernmental processes, including the upcoming third World Conference on Disaster Risk Reduction. Much more, however, is needed to achieve the full inclusion of the rights of persons with disabilities in all endeavours of the United Nations and the broader global community. This will be highlighted by the Special Rapporteur as a need to further promote a cross-cutting approach throughout her mandate.

16. As the jointly agreed and highest international standard on the rights of persons with disabilities, the Convention on the Rights of Persons with Disabilities should guide all actions related to the advancement of the rights of persons with disabilities, including the

[12] For further information on the post-2015 process and the work of the Open Working Group on Sustainable Development Goals, see https://sustainabledevelopment.un.org.

work of the Special Rapporteur. The Convention has had an overwhelmingly positive reception; since 2006, it has been ratified or acceded to by 150 States and the European Union, and the Special Rapporteur has joined other stakeholders in a call for universal ratification. This demonstrates an acceptance by the global community of the Convention as a universal standard and a collectively agreed benchmark against which progress is to be measured.

17. Owing to the participatory nature of the negotiations on the Convention on the Rights of Persons with Disabilities, it can be argued that the Convention enjoys ipso facto a certain level of unprecedented legitimacy, accorded to it not only by a large number of States but also by the rights-holders themselves. Persons with disabilities and their representative organizations were not merely consulted in the drafting process; their expertise was recognized and valued, and they became part and parcel of the negotiating process. This had a direct impact on the text of the Convention, where participation and inclusion are present throughout, including as a general principle (art. 3), a general obligation of States parties in relation to any decision-making process (art. 4) and a specific obligation in relation to developing a national implementation and monitoring framework (art. 33). The Special Rapporteur attaches great importance to such an outstanding participatory approach and wishes to maintain and reinforce it in her work.

18. As highlighted in the outcome document of the high-level meeting of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities: the way forward, a disability-inclusive development agenda towards 2015 and beyond,[13] the Convention on the Rights of Persons with Disabilities has the unique strength of being a human rights instrument with a development perspective, equally protecting the rights of all persons with disabilities in all parts of the world. The Special Rapporteur sees this dual approach as a concrete result of how the disability work within the United Nations has been built up, with strong participation from stakeholders from the global South, and as a tool for promoting sustainable development, based on the standards, norms and principles of human rights, and inclusive of and accessible to persons with disabilities. The mandate of the Special Rapporteur embodies the added value of working towards sustainable development from a human rights-based approach, as described in Human Rights Council resolution 26/20. In this spirit, the Special Rapporteur wishes to capitalize on both the human rights and the development agendas, to address the real challenges that persons with disabilities face in their everyday lives, in which the two cannot be separated: in situations of extreme poverty and exclusion, deprived of their most basic rights and too often with a precarious standard of life.

2. Overarching considerations of the mandate

19. The Special Rapporteur will be guided by the following overarching considerations in all aspects of her work:

(a) Participation. In the spirit of the Convention and the nature of the disability movement, the Special Rapporteur aims to carry out her work in a participatory, consultative and open manner, and actively involve persons with disabilities and their representative organizations in her work.

(b) Inclusiveness. The Special Rapporteur will work in an inclusive manner, aiming to ensure that the needs and concerns of persons with all different kinds of impairment are taken into equal consideration and that her work is age-sensitive, paying

[13] General Assembly resolution 68/3.

special attention to children, adolescents and older persons with disabilities. She will be attentive to the specific situation of persons with disabilities who may be subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status, and the multiple layers of barriers that these intersections may create. She will also work across social and economic groups and layers and do her utmost to ensure that no one is left behind in her deliberations.

(c) Embracing human diversity. The Special Rapporteur emphasizes that persons with disabilities are part of human diversity and should be respected and embraced as such. This idea was introduced among the general principles of the Convention on the Rights of Persons with Disabilities as "respect for difference and acceptance of persons with disabilities as part of human diversity and humanity". Many of our societies have to date failed to embrace this idea. Building on the notion of human diversity, the Special Rapporteur will in her work promote the dignity and pride of persons with disabilities as part of humanity, bringing forth different experiences and fighting against negative and excluding perceptions related to disability.

(d) Gender sensitivity. In the view of the Special Rapporteur, international and national efforts on disability have to a certain degree failed to systematically take into account a gender perspective; she therefore aims to pay special attention to gender sensitivity in her work, considering, in the first instance, the multifaceted discrimination and marginalization and the compounded violations of human rights that women and girls with disabilities face in most societies, as well as other persons or groups who may experience discrimination due to their sex or disability.

(e) Accessibility. In the work of the Special Rapporteur, accessibility will be relevant mainly in two interdependent ways. First, there is an aim to ensure full accessibility of events, meetings and documentation in the official duties of the mandate holder. Second, accessibility will be seen as a cross-cutting issue in the substantive work of the Special Rapporteur, ensuring that it is fully present in national legislative frameworks, and in policy and programming, as well as a priority area of United Nations agencies, funds and programmes and other close partners.

IV. Methods of work

20. The core of the Special Rapporteur's work will consist of three interrelated activities:

(a) Gathering, requesting, receiving and exchanging information and communications from and with States and other relevant sources, including persons with disabilities and their representative organizations and other civil society organizations, on violations of the rights of persons with disabilities;

(b) Annual reports on the activities undertaken in fulfilling her mandate submitted to the Human Rights Council and the General Assembly, including thematic studies on key issues related to the advancement of the rights of persons with disabilities;

(c) Country visits at the invitation of Governments (see para. 23 (d) below).

21. In addition and within the framework of her mandate, the Special Rapporteur intends to undertake her tasks through the following working methods:

(a) Collaborative efforts. As requested by the Human Rights Council in its resolution 26/20, the Special Rapporteur will develop a regular dialogue and consult with States and other relevant stakeholders to identify, exchange and promote good practices

relating to the realization of the rights of persons with disabilities and their participation as equal members of society. In this spirit, she is committed to building a mandate based on participation, dialogue and consultation.

(b) Facilitating cooperation and building bridges. Even though considerable advances have been made at the global, regional, national and local levels on advancing the rights of persons with disabilities, projects or initiatives often take place in isolation. To address this challenge, the Special Rapporteur sees her role as facilitating cooperation among stakeholders and building bridges between projects, initiatives and stakeholders, and countries and continents, with a view to creating platforms for the exchange of good practices and lessons learned. She also aims to serve as a catalyst for unified action to strengthen impact.

(c) Technical assistance and knowledge development. In accordance with Council resolution 26/20, the Special Rapporteur will conduct, facilitate and support the provision of advisory services, technical assistance, capacity-building and international cooperation to support national efforts aimed at the effective realization of the rights of persons with disabilities. Furthermore, whenever relevant and with a view to informing her technical advisory role, she aims to contribute to the development of knowledge and standards on the rights of persons with disabilities, focusing on thematic issues which have emerged as a priority in discussions with stakeholders. The Special Rapporteur also aims to convene expert meetings in order to be informed of the latest developments with regard to specific thematic issues and relevant laws, policies and practices.

(d) Disability-inclusive perspective. The Special Rapporteur aims to support and promote disability-specific efforts on the one hand, and to an important extent, to ensure an inclusive perspective in efforts and processes with a general scope on the other. This dual approach in the advancement of the rights of persons with disabilities is of particular importance since, despite various efforts made to achieve inclusion, persons with disabilities have often remained invisible and excluded from non-disability-specific discussions and processes.

(e) Building ownership. The Special Rapporteur believes that efforts that are fully owned by the concerned societies are the only ones that bring about sustainable change. There is no single model that fits all; responses that are successful in one part of the world may be detrimental in another. For this reason, it will be important to build on ownership and culturally tailored responses at the national level in the advancement of the rights of persons with disabilities. In her work, the Special Rapporteur will thus aim to promote efforts compliant with the Convention on the Rights of Persons with Disabilities and solutions related to advancing the implementation of the rights of persons with disabilities that at the same time take into account cultural and national contexts and particularities.

V. Promoting the inclusion of the rights of persons with disabilities in international processes and national agendas

22. In the light of the mandate entrusted to the Special Rapporteur by the Human Rights Council in its resolution 26/20, the mandate holder aims to put particular emphasis on promoting the inclusion of the rights of persons with disabilities in a set of national and international processes which she regards as priorities.

A. Promoting the inclusion of the rights of persons with disabilities in the national agenda

23. The Special Rapporteur recognizes that a very important part of the mandate is to support States in the development of their national efforts to advance the implementation of the rights of persons with disabilities. To accomplish this, the Special Rapporteur will put particular emphasis on the following activities:

(a) Supporting law reform processes. Most legal systems in the world still contain provisions that discriminate against persons with disabilities and violate their human rights, from the denial of legal capacity or the right to vote to education laws that exclude children with disabilities from the general education system. Although efforts have been made to harmonize national legislation with the Convention on the Rights of Persons with Disabilities, much remains to be done. The Special Rapporteur aims to contribute to these processes by providing technical advice and exchanging good practices with a view to supporting and promoting legal reform that is inclusive of the rights of persons with disabilities, and by promoting the effective involvement of and consultation with persons with disabilities and their representative organizations in legislative reform.

(b) Fostering capacity-building of national stakeholders. The Convention brings about many concepts and new ideas that challenge outdated perceptions of persons with disabilities. The Special Rapporteur aims to support national stakeholders, including government officials, in translating internationally agreed norms and standards to national laws, policies, programmes and practices, and to advise them in challenges that they may face in implementing the rights of persons with disabilities. In cooperation with relevant United Nations agencies and other organizations, the mandate holder will explore the feasibility of developing training modules for national stakeholders to support the effective advancement of the rights of persons with disabilities.

(c) Promoting the establishment and/or strengthening of national mechanisms for implementation and monitoring. Guided by article 33 of the Convention on the Rights of Persons with Disabilities,[14] many States are in the process of setting up a national framework for implementing and monitoring the Convention. The Special Rapporteur wishes to work together with the mechanisms called for in article 33 (government focal points and coordination mechanisms, independent monitoring bodies and civil society), support their efforts and address their potential challenges with a view to reinforcing the development of Convention-compliant national implementation and monitoring frameworks.

(d) Country visits. The Special Rapporteur will, at the invitation of Governments, undertake country visits to learn about national realities and observe relevant laws, policies and programmes, and identify good practices and areas of cooperation and technical support to advance constructive dialogue and further developments in the field of the rights of persons with disabilities. She will study national legislation, policies, programmes and practices, and regulatory frameworks and institutions, to provide guidance to States in their activities – including, where relevant, by supporting them in implementing recommendations made by human rights mechanisms – in seeking to advance the rights of persons with disabilities in accordance with the Convention.

[14] See the thematic study prepared by OHCHR on the role of national mechanisms for the implementation and monitoring of the Convention on the Rights of Persons with Disabilities (A/HRC/13/29).

(e) Statistics and data-collection. With a view to promoting the inclusion of persons with disabilities in national data-collection systems, and guided by article 31 of the Convention, the Special Rapporteur will support efforts to collect adequately disaggregated data and statistics to enable States to formulate and implement policies to give effect to the Convention.

B. Promoting the inclusion of the rights of persons with disabilities in international processes

24. While positive steps have been taken to include the rights of persons with disabilities in a range of human rights and development processes at the international level, the Special Rapporteur considers it important to contribute to these efforts by providing technical advice and advocating for a human rights framing in all disability-related work.

25. Guided by Human Rights Council resolution 26/20 and the call made in the Convention for international cooperation that is inclusive of and accessible to persons with disabilities, the Special Rapporteur will pay particular attention to promoting the role of persons with disabilities as both agents for and beneficiaries of development, and make recommendations thereon. In development cooperation efforts, she will, in particular, seek to promote South-South and triangular cooperation that reinforces national ownership of efforts. In addition, she will engage in the final stages of the process leading to the establishment of a new international development agenda beyond 2015, joining other stakeholders in advocating for the post-2015 period that is sustainable, inclusive and accessible. The focus of the mandate holder will be on ensuring that achievements are retained and that goals and targets are translated into meaningful and inclusive indicators, and on developing efficient and inclusive implementation and monitoring frameworks for the new agenda.

26. The Special Rapporteur looks forward to working closely together with other special procedures mandate holders and aims, as an initial step, to contact all mandate holders with a call to harmonize efforts and build upon each other's work. Attention will be paid to the mandate's call to address multiple and aggravated forms of discrimination by working in close collaboration with other mandates focusing on groups, such as the mandate holders on the rights of indigenous peoples, violence against women, the sale of children, the human rights of migrants, minority issues and internally displaced persons, older persons and discrimination against women in law and in pPractice. She also sees important connections between her mandate and those focusing on specific economic and social rights, such as the special procedures on the rights to health, education, extreme poverty, adequate housing, water and sanitation, and to food, as well as those focusing on civil and political rights, such as the Special Rapporteur on torture, extrajudicial, summary or arbitrary executions and the Working Group on Arbitrary Detention.

27. The Special Rapporteur attaches great importance to the work of United Nations human rights treaty bodies and their jurisprudence. She sees a natural link between her work and that of the Committee on the Rights of Persons with Disabilities, and extends her full support and availability to collaborate with the Committee whenever relevant for both mechanisms in order to contribute to and build upon each other's work in a way that advances the rights of persons with disabilities in a coherent manner and maximizes the use of available resources. The Special Rapporteur also wishes to contact other treaty bodies with a view to sharing information gathered on thematic issues that might be of interest in their respective area of work. She extends her support for collaborating for the harmonization of standards and sharing of information that can be of relevance to the respective bodies.

28. In accordance with the mandate, the Special Rapporteur will cooperate closely with the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Commission for Social Development by exchanging regularly and participating in their annual sessions upon request. She appreciates the first exchange she had with the Commission at its fifty-third session, in February 2015, and looks forward to continuing to bring to these platforms updates on her work and findings from country visits and on thematic issues.

29. The Special Rapporteur will join the disability community in advocating for disability-inclusive disaster risk reduction ahead of the third World Conference on Disaster Risk Reduction, to be held in March 2015, and engage in the process leading to the World Humanitarian Summit in 2016 in the light of article 11 of the Convention, which calls for measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters. She will also engage in efforts to ensure that the rights of women and girls with disabilities are adequately reflected in the process of the 20-year review of the implementation of the Beijing Declaration and Platform for Action and its outcome.

30. As invited by the General Assembly, the Special Rapporteur envisages to support the United Nations system, and in particular the Statistical Commission, as appropriate and within the scope of the mandate and existing resources, to update existing methodologies of disability data collection and analysis for persons with disabilities, to obtain internationally comparable data on the situation of persons with disabilities and to regularly include relevant disability data or relevant qualitative facts, as appropriate, in relevant United Nations publications in the field of economic and social development.[15]

31. The Special Rapporteur will liaise closely with United Nations agencies, funds and programmes working in the area of disability, and welcomes the exchange of information and mutual sharing of findings and developments. In accordance with her mandate, she envisages to work closely with the United Nations Partnership to Promote the Rights of Persons with Disabilities with a view to seeking collaboration. The Special Rapporteur will also exchange with the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities in recognition of the institutional mandate to promote the rights of persons with disabilities of the Group and each of its members.

32. The Special Rapporteur believes that regional bodies play an important role in interpreting international standards at the regional level and advancing the rights of persons with disabilities within relevant cultural and economic regional contexts. In this light, she will be available to provide advice upon request, taking into account the work plans and priorities of regional organizations in processes involving the promotion and protection of the rights of persons with disabilities.

VI. Areas of concern and priority issues for the mandate

33. Given the broad scope of the mandate and the fact that it is subject to the availability of resources for its implementation, the Special Rapporteur has decided to mainly focus on a few priority areas of concern, which in her view present the most urgent challenges for the enjoyment of human rights by persons with disabilities. These areas of concern have been grouped into three complementary, mutually reinforcing clusters:

(a) Promoting citizenship. Supporting the active participation of persons with disabilities in all decision-making process affecting their lives, including through the right

[15] General Assembly resolution 69/142, para. 18.

to equal recognition before the law, the right to freedom and security of the person, the right to live independently and to be included in the community and other interrelated rights in the civil and political sphere.

(b) Combating poverty: Addressing the root causes of poverty among persons with disabilities that prevent them from enjoying their economic and social rights and being active contributors to their communities, including by supporting the development and implementation of social protection systems that are inclusive of persons with disabilities, by promoting access to inclusive education and employment, and by contributing to the inclusion of persons with disabilities in all national and international development processes and programmes.

(c) Promoting change in social perceptions about persons with disabilities. The Special Rapporteur, guided by article 8 of the Convention on the Rights of Persons with Disabilities and paragraph 2 (e) of Human Rights Council resolution 26/20, intends to challenge and to contribute to changing negative perceptions of persons with disabilities with a view to fostering respect for the rights and dignity of persons with disabilities, combating stereotypes, prejudice and harmful practices relating to persons with disabilities, promoting awareness of the positive contributions of persons with disabilities to society and informing persons with disabilities, their families and communities about their rights. Awareness-raising activities will be undertaken as stand-alone activities, such as social media campaigns and contributing to the visibility of the annual International Day of Persons with Disabilities, and as components of her mandated work.

VII. First steps in setting up a framework for collaboration

34. In her first months as mandate holder, the Special Rapporteur took initial steps to set up a framework for collaboration. Grateful for the positive welcome that she has received, she has already had the chance to exchange with a large number of stakeholders and looks forward to further opportunities of interaction.

35. Upon taking up her duties, on 3 December 2014 the Special Rapporteur issued her very first statement together with the Committee on the Rights of Persons with Disabilities and the Special Envoy of the Secretary-General on Disability and Accessibility, in which these human rights mechanisms called jointly for the inclusion of the rights of persons with disabilities in relevant ongoing processes, ranging from defining the post-2015 development agenda to climate negotiations and the third World Conference on Disaster Risk Reduction, and called for universal ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto. While respecting the independence and specificity of each mandate, these mechanisms will continue to work together in a coherent manner to build upon each other's work and to collaborate when relevant. The three mechanisms have started to coordinate their work informally with the aim of exchanging information on a regular basis and identifying areas where joint action is of added value and can bring about a stronger impact.

36. The Special Rapporteur has also taken first steps towards collaborating with other special procedures mandate holders. Initial efforts of collaboration have included a joint statement made on Human Rights Day, on 10 December 2014, with other special procedures mandate holders on climate change and human rights, and joined efforts regarding issues of common concern with the mandate holders on the right to food, older persons and the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

37. The Special Rapporteur participated in the fifty-third session of the Commission for Social Development, at which she spoke under the agenda item 3(6), on the review of

relevant United Nations plans and programmes of action pertaining to the situation of social groups, on her plan of work and its contribution to the work of the Commission, in particular in its efforts in the context of a sustainable development agenda inclusive of the rights of persons with disabilities. She has also approached the Conference of States Parties to the Convention on the Rights of Persons with Disabilities to define her engagement in that context.

38. In addition, the Special Rapporteur has commenced coordination with the United Nations Partnership to Promote the Rights of Persons with Disabilities; initial discussions have been held on exploring how to coordinate geographic and thematic focus in national efforts. The Special Rapporteur has also had exchanges with a number of disability focal points of United Nations agencies, funds and programmes, and other international organizations and bodies to identify areas of collaboration and feed into each other's work.

39. In setting up her mandate, the Special Rapporteur has started to engage with the Centre for Disability Law and Policy of the National University of Ireland, Galway and the University of Costa Rica in order to obtain academic support in particular areas of research and knowledge development. She will continue to pursue opportunities for academic liaison throughout her mandate.

VIII. Conclusion

40. **The Special Rapporteur sees her mandate as a celebration of the rights of persons with disabilities and recognition of their importance in the global agenda of human rights and development. The creation of the mandate is a welcome step towards building a United Nations system that responds more effectively in the area of the rights of persons with disabilities.**

41. **In accordance with her mandate described by the Human Rights Council in its resolution 26/20, the Special Rapporteur aims to respond to the expectations of a broad range of stakeholders of an acceleration in the advances made in the rights of persons with disabilities. She intends to carry out the mandate in a comprehensive and collaborative manner, working closely with States, the United Nations system, academia, persons with disabilities, their representative organizations and other stakeholders towards concrete results. The mandate is comprehensive and presents a great opportunity for change. In order to ensure the effective implementation thereof, and in a spirit of collaboration, the Special Rapporteur calls out for support in her endeavours with a view to ensuring that her work brings about real change in the lives of persons with disabilities and the realization of their human rights without discrimination and on an equal basis with others.**